

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

THE MITCHELL LAW GROUP,

No. C 09-03466 MMC (LB)

Plaintiff,

v.

**NOTICE OF REFERRAL AND  
ORDER RE DISCOVERY  
PROCEDURES**

OCC VENTURE LLC, *et al.*,

Defendants.

TO ALL PARTIES AND COUNSEL OF RECORD:

The district court has referred Defendants OCC Venture, LLC and Shorenstein Realty Services, L.P.'s Motion to Compel Depositions, electronically filed on May 21, 2010, which is a discovery matter, to Magistrate Judge Laurel Beeler. (Dkt. #75.) Defendant Bell, Rosenberg & Hughes LLP has joined in the motion. Any noticed hearing date on any discovery matter is no longer in effect.

The Court **DENIES** the pending discovery motion without prejudice for failure of counsel to adequately meet and confer. The parties are directed to comply with all applicable requirements in Judge Beeler's standing order (attached), including all procedures regarding resolution of discovery disputes. Those discovery procedures require, among other things, that the parties meet and confer **in person**.

IT IS FURTHER ORDERED that, if after attempting other means of conferring such as letters, phone calls, or emails, the parties are unable to resolve this dispute, lead trial counsel for

1 both parties shall meet and confer **in person** at a mutually agreed-upon time and location no later  
2 than June 11, 2010. Counsel for all parties shall bring their calendars to the meet and confer session  
3 and be prepared to discuss mutually-convenient dates for setting the depositions. In the event that  
4 counsel are unable to resolve the matters at issue in the motion, they shall provide the joint detailed  
5 letter required by the standing order within five calendar days of their meeting. After reviewing the  
6 joint letter, the Court will evaluate whether further proceedings are necessary, including any further  
7 briefing or argument.

8 **IT IS SO ORDERED.**

9 Dated: June 2, 2010

  
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LAUREL BEELER  
United States Magistrate Judge